

JAN 12 2007

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.6

I hereby certify that this correspondence, totaling four (4) pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 (Central number) on the below date:

Date: January 12, 2007 Name: Gregory H. Zayia - Reg. No. 48,059 Signature: Gregory Zayia

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& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Andrew E. Kirsteins

Appln. No.: 10/672,745

Filed: September 26, 2003

For: Subcutaneous Insertion Devices and
Methods for Stimulating Subcutaneous
Regions of Patients

Examiner: Victor X. Nguyen

Art Unit: 3734

Attorney Docket No: 11992/3

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Attached is/are:

☒ Transmittal (in duplicate); Response to Restriction Requirement and Election

Fee calculation:

- ☒ No additional fee is required.
- ☒ Small Entity.
- ☐ An extension fee in an amount of \$ _____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$ _____ under 37 C.F.R. § 1.17(____).
- ☐ An additional filing fee has been calculated as shown below

| | | | | | Small Entity | | Not a Small Entity | | |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|--------------------|----------|-----------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | | Minus | | | x \$25= | | | x \$50= | |
| Indep. | | Minus | | | x 100= | | | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$180= | | | +\$360= | |
| | | | | | Total | \$ | | Total | \$ |

Fee payment:

- ☐ A check in the amount of \$ _____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$ _____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$ _____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

January 12, 2007
Date

Gregory Zayia
Gregory H. Zayia (Reg. No. 48,059)

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NBC Tower - Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8

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Date: January 12, 2007 Name: Gregory H. Zayia - Reg. No. 48,059 Signature: Gregory H. Zayia

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **Andrew E. Kirsteins**

Appln. No.: **10/672,745**

Filed: **September 26, 2003**

For: **Subcutaneous Insertion Devices and
Methods for Stimulating Subcutaneous
Regions of Patients**

Examiner: **Victor X. Nguyen**

Art Unit: **3734**

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Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

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☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).

☐ An additional filing fee has been calculated as shown below:

| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Small Entity | | Not a Small Entity | |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|--------------------|-----------|
| | | | | | Rate | Add'l Fee | or Rate | Add'l Fee |
| Total | | Minus | | | x \$25= | | x \$50= | |
| Indep. | | Minus | | | x 100= | | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$180= | | +\$360= | |
| | | | | | Total | \$ | Total | \$ |

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Respectfully submitted,

January 12, 2007
Date

Gregory H. Zayia
Gregory H. Zayia (Reg. No. 48,059)

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NBC Tower - Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

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States Patent and Trademark Office centralized facsimile
number 571-273-8300 on

January 12, 2007Gregory H. Zayia - Registration No. 48,059Name of Applicant, Assignee or
Registered RepresentativeGregory Zayia
SignatureJanuary 12, 2007
Date of TransmissionOur Case No. 11992/3**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | |
|-------------------------------------|---|---------------------------|
| In re Application of: |) | |
| Andrew E. Kirsteins |) | |
| Serial No. 10/672,745 |) | Examiner Victor X. Nguyen |
| Filing Date: September 26, 2003 |) | Group Art Unit No. 3734 |
| For: Subcutaneous Insertion Devices |) | |
| and Methods for Stimulating |) | |
| Subcutaneous Regions of Patients |) | |

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Restriction Requirement mailed December 12, 2006, Applicant respectfully requests entry of the following remarks, which begin on page 2 of this communication.